

FINAL BILL REPORT

2SHB 1951

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Synopsis as Enacted

Brief Description: Regarding the operation and management of salmonid hatcheries.

Sponsors: House Committee on General Government Appropriations (originally sponsored by Representatives Finn, Short, Takko, Walsh, Blake, Johnson, McCune, Pearson, Williams and Van De Wege).

House Committee on Agriculture & Natural Resources
House Committee on General Government Appropriations
Senate Committee on Natural Resources, Ocean & Recreation

Background:

Fish hatcheries have operated in Washington for more than a century, beginning with one hatchery on the Kalama River in 1895. The Washington Department of Fish and Wildlife (WDFW) operates 88 hatcheries throughout the state. Seven salmon hatcheries, however, were proposed for closure in the Governor's 2009-2011 Omnibus Operating Budget, including the Colville, Omak, Arlington, Mossyrock, McKernan, Bellingham, and Palmer Ponds hatcheries.

Summary:

The WDFW is directed to establish a program that uses department-partner agreements for the continued operation and management of state-owned salmonid hatcheries now closed or scheduled for closure during the 2009-2011 biennium. To implement the program, the WDFW must accept and review applications from potential partners to manage and operate selected salmonid hatcheries. The application process must be accelerated for any hatchery currently in operation to ensure ongoing salmon production.

Selection of Partners.

The WDFW must develop and apply criteria identifying the appropriateness of a potential partner. The criteria must attempt to ensure that the partner has a long-range business plan, which may include the sale of hatchery surplus salmon, including eggs and carcasses, to ensure the long-range future solvency of the partnership. Partners must be: (1) qualified under section 501(c)(3) of the Internal Revenue Code; (2) a for-profit private entity; or (3) a federally-recognized tribe. The WDFW must prioritize partnership applications that

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maximize resumption or continuation of existing hatchery production in a manner consistent with existing legal mandates to maintain the economic well-being and stability of the fishing industry.

Contents of Partnership Agreements.

All partnership agreements must be consistent with existing state laws, agency rules, collective bargaining agreements, hatchery management policy involving species listed under the federal Endangered Species Act, or, in the case of a tribal partner, any applicable tribal hatchery management policy or recreational and commercial harvest policy. In addition, all partnership agreements must require that partners conducting hatchery operations maintain staff with comparable qualifications to those identified in the class specifications for the WDFW's fish hatchery personnel. Finally, all partnership agreements must contain a provision requiring the partner to hold the WDFW and the state harmless from any civil liability arising from the partner's participation in the agreement.

Maintenance or Improvements to Hatchery Facilities.

All partnership agreements must identify any maintenance or improvements to be made to the hatchery facility, as well as the source of funding for such maintenance or improvements. If the funding is derived from state funds or revenue sources previously received by the WDFW, the work must be performed either by employees in the classified service or in compliance with state contracting procedures.

Funds from the Regional Fisheries Enhancement Group Account may serve as replacement funding for salmon projects operated by the WDFW for the purposes of partnership agreements.

Votes on Final Passage:

House	96	0	
Senate	44	1	(Senate amended)
House	94	0	(House concurred)

Effective: July 26, 2009